

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LUIS GABRIEL SUAREZ,

Plaintiff,

JUDGMENT PURSUANT
TO RULE 68

-versus-

1:23-cv-04788-VSB

99 CENTS TOP GRADE INC. and
MIKE COHAN, MOSHE MOLKANDOW individually

Defendants.

X

WHEREAS, on June 7, 2023, Plaintiff Suarez filed this action alleging violations of the Fair Labor Standards Act.

WHEREAS, on September 25th, 2023 pursuant to Fed. R. Civ. P. 68, the defendants served on the plaintiffs an Offer of Judgment in favor of Plaintiff Suarez and

WHEREAS, on October 3, 2023 Plaintiff Suarez accepted the defendant's offer

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. Defendants shall pay Plaintiff Suarez the total sum of Thirteen thousand and Five hundred Dollars and No Cents (\$13,500.00), including attorneys' fees, expenses, and costs to the date of the offer, pursuant to the Rule 68 Offer of Judgment.

2. This judgment shall be in full satisfaction of all federal and state law claims or rights that Plaintiff Suarez may have to damages, or any other form of relief, arising out of the alleged acts or omissions of defendants or any official, employee, or agent, either past or present, of Defendants or any agency thereof, in connection with the facts and circumstances that are the subject of this action.


3. The offer of judgment was made for the purposes specified in Rule 68 of the Federal Rules of Civil Procedure and is not to be construed as an admission of liability by any defendant, or an official, employee, or agent of the Defendants,

or any agency thereof; nor is it an admission that Plaintiff Suarez has suffered any damages.

4. Acceptance of the offer of judgment has acted to release and discharge defendants; their successors or assigns; and all past and present officials, employees, representatives, and agents of the Defendants, or any agency thereof, from any and all claims that were or could have been alleged by Plaintiff Suarez in the above-referenced action. Acceptance of the offer of judgment has waived Plaintiff Suarez's rights to any claim for interest on the amount of the judgment.

SO ORDERED

Dated: October 5, 2023
New York, New York


Honorable Vernon S. Broderick
United States District Judge